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5 Attorney for Defendant  
RANDALL CLARY

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA ) Case No: CR10-0668RS  
10 )  
Plaintiff, ) STIPULATION AND ~~PROPOSED~~  
11 ) ORDER TO CONTINUE SENTENCING  
Vs. ) HEARING TO  
12 ) DECEMBER 13, 2011  
RANDALL CLARY )  
13 Defendant )  
14 )

15 The parties, through counsel of record, hereby stipulate and agree:

- 16 1. This matter is presently scheduled for a Sentencing Hearing on December  
17 13 at 2:30 p.m.
- 18 2. Mr. Clary has significant mental health issues
- 19 3. Attorney for defendant Clary has represented that Mr. Clary is now on a  
20 medication regime that addresses his mental health issues. Based on the  
21 fact that Mr. Clary is now stabilized, counsel has arranged for Mr. Clary to be  
22 re-interviewed by United States Probation Officer Charlie Mabie and for an  
updated Presentence Report (PSR) to be prepared.
- 23 4. The parties therefore request that the sentencing hearing be continued to  
24 February 28, 2012 to allow time for the re-interview of Mr. Clary and  
25 preparation of an amended PSR.  
26

1 SO STIPULATED.

2 Dated: November 22, 2011

3  
4 /S/  
5 KEVIN BARRY  
6 Assistant United States Attorney  
Counsel for United States

/S/  
DIANA L. WEISS  
Attorney for Defendant  
RANDALL CLARY

7  
8  
9 **SO ORDERED.**

10 DATED: 11/22/11

11  
12  
13   
14 HONORABLE RICHARD SLEBORG  
United States District Judge